

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 449 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.
FLOYD, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 451 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.
FLOYD, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 208 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.
FLOYD, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 453 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.
FLOYD, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 445 carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.
FLOYD, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 310

carefully examined and compared, and find same correctly enrolled, and have this day at 3:30 o'clock presented same to the Governor for her approval.
FLOYD, Chairman.

Bills Ordered Printed in Journal.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred H. B. No. 393, Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass.
WIRTZ, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred H. B. No. 16. Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.
BAILEY, Chairman.

FORTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
Tuesday, March 17, 1925.
The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to their names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Moore of Hunt.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Absent.

Miller.

Prayer by Senator Reid.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Simple Resolution No. 75.

By Senator Davis:

Be it resolved by the Senate, That Carl Boes, engrossing clerk and enrolling clerk of the Senate, be and he is hereby retained for fifteen (15) days at \$7.50 per day to complete the work of filing all engrossed and enrolled bills with the Secretary of State and making report of all engrossed and enrolled bills to the Secretary of State and said report to be printed in the Journal.

Davis, Wood, Moore of Hunt, Floyd, Woodward, Bowers, Parnell.

The resolution was read and adopted.

Senate Bill No. 345.

The Chair laid before the Senate, on third reading,

S. B. No. 345, A bill to be entitled "An Act to amend Article 2914 of the Revised Statutes of Texas of 1911, relating to dividing cities and towns into election precincts by the commissioners' court, so as to provide that it shall be the duty of commissioners' courts to re-establish and reorganize the election precincts in incorporated cities, towns and villages so that no such precinct shall have resident therein more than four hundred voters as shown by the vote cast at the last preceding general city election, and providing for additional subdivision of such precincts when the numbers of voters therein exceed four hundred; providing when an election precinct shall not be made out of parts of two or more wards; providing a method for enforcing the provisions of this Act, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—19.

Berkeley.	Hardin of Erath.
Bledsoe.	Moore of Hunt.
Bowers.	Parnell.
Davis.	Pollard.
Fairchild.	Price.
Floyd.	Real.

Reid.
Triplett.
Ward.
Wirtz.

Witt.
Wood.
Woodward.

Nays—7.

Hardin of Kaufman.	Murphy.
Holbrook.	Russek.
Lewis.	Strong.
Moore of Cooke.	

Absent.

Bailey.	Smith.
Miller.	Stuart.
Parr.	

Simple Resolution No. 77.

By Senator Fairchild:

Austin, Texas, March 17, 1925.

Whereas, the Thirty-eighth Legislature, at its Third Called Session, passed Senate Resolution No. 13, creating a non-salaried forestry committee of eleven members, the members thereof to be appointed by the Governor, two to be drawn from the Senate, two from the House and seven private citizens from the State at large; prescribing their duties and authorizing said committee to make surveys of the forest and tree conditions in Texas and to make recommendations for legislation respecting reforestation interest in Texas; and,

Whereas, the said committee has performed its duties under Senate Resolution No. 13, and desires that this work be continued in the interests of reforestation of the State of Texas; therefore,

Be it Resolved, That the Forestry Committee created under Senate Resolution No. 13 by the Thirty-eighth Legislature be and it is hereby authorized to function and to perform all of the duties prescribed by said resolution, and that said committee is directed to make annual report to the Governor and to the Fortieth Legislature in 1927, giving a full and complete record of its findings with its recommendations.

The resolution was read and adopted.

House Bill No. 473.

The Chair laid before the Senate, on third reading,

H. B. No. 473, A bill to be entitled "An Act to amend an Act of the Second Called Session of the Thirty-eighth Legislature, Chapter 29, entitled 'Enlarging the Megargel Independent School District; an Act de-

fining the boundaries of the Megargel County Line Independent School District; providing for the transportation of pupils; for assessing and collecting taxes; authorizing the trustees to sue for the collection of delinquent taxes; providing that said district assume payment of that pro rata part of indebtedness due by the district on account of territory out of said district by this Act; providing that any part of this Act being declared invalid shall not affect other parts; giving the trustees the right to increase the area of said district, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yes—29.

Bailey.	Pollard.
Berkeley.	Real.
Bledsoe.	Price.
Bowers.	Russek.
Davis.	Reid.
Fairchild.	Smith.
Floyd.	Strong.
Hardin of Erath.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

Absent.

Miller. Moore of Hunt.

House Bill No. 503.

The Chair laid before the Senate, on third reading,

H. B. No. 503, A bill to be entitled "An Act to exempt the county of Howard from the provisions and operations of Articles 7256 to 7304, inclusive, of Chapter 7, Title 124 of the Revised Civil Statutes of 1911, relating to the inspection of hides and animals; repealing all laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—29.

Bailey.	Hardin of Kaufman.
Berkeley.	Holbrook.
Bledsoe.	Lewis.
Bowers.	Miller.
Davis.	Murphy.
Fairchild.	Parnell.
Floyd.	Parr.
Hardin of Erath.	Pollard.

Price.	Triplett.
Real.	Ward.
Reid.	Wirtz.
Russek.	Witt.
Smith.	Wood.
Strong.	Woodward.
Stuart.	

Absent.

Moore of Hunt. Moore of Cooke.

House Bill No. 174.

The Chair laid before the Senate, on third reading,

H. B. No. 174, A bill to be entitled "An Act to acquit, quit-claim, grant and release unto Laura Weir Scott, her heirs and assigns all right, title and interest which the State of Texas now has or may hereafter have in and to the tract of 110 acres of land, more or less, part of the J. S. Irvine survey, situated in Hays and Travis Counties, Texas, described in deed dated April 19, 1922, executed by Mrs. Montie B. Botts to the said Laura Weir Scott and of record in book No. 335, pages 363 to 365 of the deed records of Travis County, Texas, which right, title and interest the State of Texas has or may have by virtue of the following provision contained in said deed, to-wit: during the lifetime of the said Frank D. Scott, the said Laura Weir Scott shall not have any right nor power to sell, mortgage or encumber in any way the land hereby conveyed to her and if she, at any time, undertakes to do so, either directly or indirectly, then immediately and automatically all interest therein in her favor will absolutely terminate and end, and from that date or occurrence forwards she will have no further interest in said property of any kind or character, but, in any such event or events, the title thereto will vest in fee simple together and equally in any lawful issue of her body then living and in the absence of any such living issue, same will revert and become the property of the State of Texas."

The bill was read third time and passed finally.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 363, A bill to be entitled

"An Act to create Common School District No. 5 in Refugio County, Texas."

H. B. No. 634, A bill to be entitled "An Act to establish and create a court to be known as the Corporation Court of Lubbock Texas, and prescribe its organization and procedure and conform to the jurisdiction and process of other courts thereto, and repeal all laws and ordinances in conflict herewith, and declaring an emergency for same."

H. B. No. 639, A bill to be entitled "An Act to amend Chapter 75 of the Acts of the Third Called Session of the Thirty-sixth Legislature, creating the Emory Independent School District."

H. B. No. 648, A bill to be entitled "An Act to create Calliham Independent School District in Live Oak and McMullen Counties, Texas, including therein the present Calliham School District No. 3 of the said counties."

H. B. No. 653, A bill to be entitled "An Act creating a special road law for Kaufman County."

H. B. No. 659, A bill to be entitled "An Act creating an independent school district to be know as the Holt Independent School District, situated in Hutchinson County, Texas, described by metes and bounds, comprising the territory of Common School District No. 8 of Hutchinson County."

H. B. No. 663, A bill to be entitled "An Act creating and incorporating the Dilley County Line Independent School District out of territory in Frio and LaSalle Counties."

H. B. No. 331, A bill to be entitled "An Act fixing the venue of the offense of abortion."

H. B. No. 630, A bill to be entitled "An Act to create a more efficient road system for Hidalgo County, Texas, by creating Hidalgo County Independent Road District No. 1, designation of said district and of any bonds thereof; providing that said district shall be vested with all the rights, powers and privileges conferred upon defined road districts by General Law; providing for the levy, assessment and collection of necessary taxes annually to pay interest and provide sinking fund for outstanding bonds heretofore issued by the district of which the district hereby created was formerly a part, and declaring an emergency."

H. B. No. 651, A bill to be entitled

"An Act creating the Woodrow Independent School District in Lubbock County, Texas, out of the same territory now comprising the Woodrow Common School District No. 21, in Lubbock County, Texas, as established and defined by Act of the Thirty-sixth Legislature of the State of Texas."

H. B. No. 655, A bill to be entitled "An Act exempting Lamar County for a period of five years from the operation of certain of the existing game laws."

S. B. No. 302, A bill to be entitled "An Act reorganizing the State of Texas into supreme judicial district for the purpose of constituting and organizing courts of civil appeals herein; creating the Twelfth Supreme Judicial District of Texas, with Greenville as the site of said court; providing for the appointment and qualification of the judges of said Twelfth Supreme Judicial District, and other officers thereof; providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Twelfth Supreme District of Texas, providing an appropriation for the maintenance of said court, and declaring an emergency."

Amended by striking out the enacting clause.

H. B. No. 666, A bill to be entitled "An Act to create Common School District No. 6 in McLennan County, Texas."

H. B. No. 671, A bill to be entitled "An Act creating the Pearsall Independent School District."

H. B. No. 685, A bill to be entitled "An Act creating the Lipscomb Independent School District."

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 523.

The Chair laid before the Senate, on third reading,

H. B. No. 523, A bill to be entitled "An Act fixing the compensation of county commissioners in counties having a population of not less than 17,000, according to the United States census of 1920, and which have an area of not less than 1,060 square miles, nor more than 1,200 square miles, and which have assessed valuation of not less than \$10,000,000, and which do not contain a city or town of more than 7,500, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 544.

The Chair laid before the Senate, on third reading,

H. B. No. 544, A bill to be entitled "An Act to create the Ackery Independent School District in Dawson, Borden, Howard and Martin Counties, Texas."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 549.

The Chair laid before the Senate, on third reading,

H. B. No. 549, A bill to be entitled "An Act exempting Travis County for a period of two years from the provisions of Chapter 12, Section 3, Acts of 1917, Third Called Session, as amended by Chapter 87, Section 3, Acts of 1918, Fourth Called Session, and Chapter 172, Regular Session of the Thirty-eighth Legislature, and providing for an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 555.

The Chair laid before the Senate, on third reading,

H. B. No. 555, A bill to be entitled "An Act to increase and fix the salary of the Superintendent of Public Instruction of Harris County, Texas; providing for office and traveling expenses; repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Nays—1.

Strong.

House Bill No. 558.

The Chair laid before the Senate, on third reading,

H. B. No. 558, A bill to be entitled "An Act creating and incorporating the Edna Independent School District in Jackson County, Texas."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 561.

The Chair laid before the Senate, on third reading,

H. B. No. 561, A bill to be entitled "An Act creating the Halfway Independent School District, situated in Hale County, Texas; defining its metes and bounds; vesting it with rights, powers, duties and privileges of independent school districts incorporated for school purposes only under the General Laws; providing for a board of five (5) trustees therefor; providing a board of equalization, and prescribing the duties and authority of said board, and of said trustees; declaring valid a maintenance; declaring valid all debts owing to and by said district, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 575.

The Chair laid before the Senate, on third reading,

H. B. No. 575, A bill to be entitled "An Act fixing the compensation of

county commissioners in counties which now have or may hereafter have an area of not less than 650 square miles, nor more than 850 square miles, and a population of not less than 25,000, nor more than 30,000, according to the last United States census, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—30.

Bailey.	Parnell.
Berkeley.	Parr.
Bledsoe.	Pollard.
Bowers.	Price.
Davis.	Real.
Fairchild.	Reid.
Floyd.	Russek.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.

Nays—1.

Strong.

House Bill No. 578.

The Chair laid before the Senate, on third reading,

H. B. No. 578, A bill to be entitled "An Act creating Voglsang Common School District No. 86 in Milam County, Texas."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 588.

The Chair laid before the Senate, on third reading,

H. B. No. 588, A bill to be entitled "An Act to amend Section 1 of Chap-

ter 3, Special Laws of the Thirty-eighth Legislature, Third Called Session, the same being entitled 'An Act to create Roscoe Independent School District in Nolan County, Texas.'

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 590.

The Chair laid before the Senate, on third reading,

H. B. No. 590, which was laid on the table, subject to call.

House Bill No. 593.

The Chair laid before the Senate, on third reading,

H. B. No. 593, A bill to be entitled "An Act to amend Section 2, Chapter 40, Local and Special Laws, enacted by the Regular Session of the Thirty-fourth Legislature in 1915, same being an amendment to San Saba County Special Road Law, by adding thereto Section 2a to permit the issuance of bonds by San Saba County for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Miller.
Berkeley.	Moore of Hunt.
Bledsoe.	Moore of Cooke.
Bowers.	Murphy.
Davis.	Parnell.
Fairchild.	Parr.
Floyd.	Pollard.
Hardin of Erath.	Price.
Hardin of Kaufman.	Real.
Holbrook.	Reid.
Lewis.	Russek.

Smith.
Strong.
Stuart.
Triplett.
Ward.

Wirtz.
Witt.
Wood.
Woodward.

House Bill No. 672.

The Chair laid before the Senate, on third reading,

H. B. No. 672, A bill to be entitled "An Act creating the Mundell Independent School District in Dallas County."

The bill was read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 600.

The Chair laid before the Senate, on third reading,

H. B. No. 600, A bill to be entitled "An Act to amend Article 3903 of the Revised Civil Statutes of the State of Texas, for 1911, as amended by the Thirty-third Legislature at its Regular Session, Chapter 121 and Chapter 142 of the General Laws, as amended by Chapter 55 of the General Laws of the Regular Session of the Thirty-fifth Legislature, and as amended by Chapter 32 of the General Laws of the Third Called Session of the Thirty-sixth Legislature, as amended by Chapter 96 of the General Laws of the Regular Session of the Thirty-seventh Legislature, authorizing county attorneys and district attorneys in counties having a population in excess of one hundred thousand inhabitants, where there is also a district attorney, to appoint deputies, or assistants, by adding Section 3903a providing that counties composing one judicial district and the population being between thirty-seven thousand and five hundred and one hundred thousand,

and the county attorney performs the duties of county attorney and district attorney."

The bill was read third time and passed finally.

House Bill No. 673.

The Chair laid before the Senate, on third reading,

H. B. No. 673, A bill to be entitled "An Act relating to the Bexar Independent School District."

The bill was read third time and passed finally.

House Bill No. 658.

The Chair laid before the Senate, on second reading,

H. B. No. 658, A bill to be entitled "An Act providing for better and more efficient road construction and maintenance in DeWitt County, Texas, being a local and special road law for said county; providing penalties for the violation of any of the provisions of this Act, and declaring an emergency."

Senator Bailey offered the following amendment, which was adopted:

Amend H. H. No. 658 by inserting between Sections 8 and 9 the following:

Section 9. If any section of this bill shall be held unconstitutional or invalid it shall not affect any other section of this bill and all sections save the ones that may be declared unconstitutional or invalid shall continue to be in full force and effect. And by numbering the succeeding section, which is the emergency clause No. 10.

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to a third reading.

On motion of Senator Bailey, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 658 put on its third reading and final passage, by the following vote:

Yeas—31.

Bailey.	Holbrook.
Berkeley.	Lewis.
Bledsoe.	Miller.
Bowers.	Moore of Hunt.
Davis.	Moore of Cooke.
Fairchild.	Murphy.
Floyd.	Parnell.
Hardin of Erath.	Parr.
Hardin of Kaufman.	Pollard.

Price.	Triplett.
Real.	Ward.
Reid.	Wirtz.
Russek.	Witt.
Smith.	Wood.
Strong.	Woodward.
Stuart.	

H. B. No. 658 was laid before the Senate, read third time, and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills and resolutions:

House has refused to adopt, S. J. R. No. 22, A joint resolution "Relating to State Parks Board."

S. C. R. No. 35, A concurrent resolution, "Relating to the semi-annual report of the Board of managers of the Texas State Railroad."

H. C. R. No. 54, A concurrent resolution, "Relating to the lighting system of the State Capitol."

H. B. No. 311, A bill to be entitled "An Act authorizing any steam or electric railway company, street railway company, interurban railway company, sleeping car company, or other transportation company to transport on any interstate trip in this State any blind person, his or her guide for the same fare that one person is required to pay or furnish."

H. B. No. 690, A bill to be entitled "An Act reorganizing the Seventy-fifth Judicial District."

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bill No. 303.

The Chair laid before the Senate, as special order and second reading,

H. B. No. 303, A bill to be entitled "An Act amending Chapter 57 of the General Laws of the First Called Session of the Thirty-seventh Legislature, relating to the State penitentiary system; providing for the relocation of the State penitentiary system; providing for the disposition of the penitentiary property to accomplish the purpose of this Act; providing for a modern penitentiary system and facilities; providing for the operation and maintenance of said system; providing the necessary officers, agents and employes and making the necessary appropriations to carry out the purpose of this Act, and declaring an emergency."

The bill was read, and the Senator from Angelina (Fairchild) made the point of order that the Senate could not take up House Bill 303 at this time because this is Senate bill day, and no House bill can be considered on Senate bill day without unanimous consent as long as there are any Senate bills on the calendar on either second or third reading.

Senator Pollard made the further point of order that since this bill, as a special order, was not considered at the time it was set, had lost its place.

The Chair overruled the additional point of order.

The Chair referred the Fairchild point of order, under the rules, to the Senate for discussion, and after further discussion, Senator Murphy made the point of order that the rules provided that the President of the Senate decide all points of order.

The Chair held that precedent permitted the Chair to refer the matter to the Senate.

Senator Wood then moved the previous question on the motion to decide the point of order, which motion being duly seconded, was ordered.

Senator Fairchild had the floor at the time the previous question was ordered and was permitted to continue the discussion of the point of order.

Pending discussion, Senator Wood made the point of order that Senator Fairchild was discussing the merits of the bill and, therefore, forfeited the floor.

The Chair sustained the point of order.

The Chair then submitted to the Senate the question whether or not Senator Fairchild would be permitted to continue the discussion.

The Senate permitted Senator Fairchild to continue his discussion, by the following vote:

Yeas—17.

Bailey.	Parr.
Berkeley.	Pollard.
Bowers.	Russek.
Davis.	Strong.
Fairchild.	Stuart.
Floyd.	Triplett.
Holbrook.	Ward.
Lewis.	Wirtz.
Moore of Cooke.	

Nays—14.

Bledsoe.	Price.
Hardin of Erath.	Real.
Hardin of Kaufman.	Reid.
Miller.	Smith.
Moore of Hunt.	Witt.
Murphy.	Wood.
Parnell.	Woodward.

Senator Fairchild continued his discussion, and pending the discussion, Senator Wood made the point of order that Senator Fairchild was not discussing the point of order, but the penitentiary investigating committee.

The Chair sustained the point of order, and then submitted to the Senate the question whether or not the Senator would be permitted to continue his discussion.

The Senate refused to permit Senator Fairchild to continue the discussion, by the following vote:

Yeas—15.

Bailey.	Moore of Cooke.
Berkeley.	Pollard.
Bowers.	Russek.
Davis.	Strong.
Fairchild.	Triplett.
Floyd.	Ward.
Holbrook.	Wirtz.
Lewis.	

Nays—16.

Bledsoe.	Price.
Hardin of Erath.	Real.
Hardin of Kaufman.	Reid.
Miller.	Smith.
Moore of Hunt.	Stuart.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.

Senator Fairchild moved that the Senate recess until 2:30 o'clock today, which motion was lost by the following vote:

Yeas—12.

Bailey.	Lewis.
Berkeley.	Moore of Cooke.
Bowers.	Pollard.
Davis.	Russek.
Fairchild.	Strong.
Holbrook.	Wirtz.

Nays—19.

Bledsoe.	Real.
Floyd.	Reid.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Murphy.	Witt.
Parnell.	Wood.
Parr.	Woodward.
Price.	

Action then recurred on the discussion of the point of order by Senator Fairchild, referred to the Senate by the Chair.

Question: Shall the point of order be sustained?

The Senate refused to sustain the point of order, by the following vote:

Yeas—10.

Bailey.	Lewis.
Berkeley.	Pollard.
Bowers.	Russek.
Fairchild.	Strong.
Holbrook.	Wirtz.

Nays—21.

Bledsoe.	Price.
Davis.	Real.
Floyd.	Reid.
Hardin of Erath.	Smith.
Hardin of Kaufman.	Stuart.
Miller.	Triplett.
Moore of Hunt.	Ward.
Moore of Cooke.	Witt.
Murphy.	Wood.
Parnell.	Woodward.
Parr.	

House Concurrent Resolution No. 54.

The Chair laid before the Senate H. C. R. No. 54, relating to the lighting system for the capitol building.

The resolution was read and adopted.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

The House has adopted the report of the Free Conference Committee on S. B. No. 393.

H. B. No. 200, A bill to be entitled "An Act to create a more efficient road system for Wood County, Texas; making the county commissioners ex-officio road commissioners, and providing for their compensation, and defining their powers and duties; providing for the working of hands on the public roads who fail to pay tax as provided for; providing for the working of roads by contract if the courts so determines and for the working of county convicts upon the public roads of said county; providing for the collection and disbursement of certain moneys and the payment of fees for special services by certain county officials; providing for penalties for the enforcement of the provisions of this Act; declaring its provisions are supplemental to all General Laws of the State on the subject, and for the repeal of all laws and parts of laws in conflict with any of the provisions of this Act, and declaring an emergency."

H. B. No. 248, A bill to be entitled "An Act to amend Article 3868, Revised Civil Statutes of Texas, of 1911, fixing fees of constables for service rendered in business connected with courts of justices of the peace, so as to change the amount of certain fees provided therein and to add fee for every day the constable shall attend the justice court, and declaring an emergency."

H. B. No. 502, A bill to be entitled "An Act requiring official shorthand reporters of any district court of this State on request of the appellant in any case appealed, to any court of civil appeals of this State, to prepare from his stenographic notes a statement of the facts in such cause in duplicate and narrative form and deliver the same to the appellant or his attorney of record; and providing that where appellant has exercised reasonable diligence to procure from the official shorthand reporter failed to deliver such statement of facts in time for appellant to take the necessary steps to procure and file in the court

of civil appeals a statement of facts within the time prescribed by law, that he may file the transcript and the court of civil appeals shall grant appellant such further time as it may deem necessary to file such statement of facts; and further, providing that when the court of civil appeals grants appellant further time to prepare and file his statement of facts they shall also grant further time to appellant in which to file his brief, and declaring an emergency."

H. B. No. 612, A bill to be entitled "An Act requiring the screening of irrigation ditches to prevent fish escaping from other waters and coming into the waters of such irrigation ditches; making it an offense to violate or fail to comply with this Act; providing that the Act shall apply to Tom Green, Howard, Reagan, Glasscock, Irion and Sterling Counties only; prescribing penalties, and declaring an emergency."

H. B. No. 613, A bill to be entitled "An Act creating and establishing Sweeny Independent School District in Brazoria County, Texas."

H. B. No. 615, A bill to be entitled "An Act creating the St. Paul Independent School District, situated in San Patricio County, Texas."

H. B. No. 641, A bill to be entitled "An Act to create the Montgomery Independent School District in Montgomery County, Texas."

H. B. No. 644, A bill to be entitled "An Act to amend Chapter 77, Section 1 of the Acts of the Regular Session, Thirty-eighth Legislature, preventing the sale of bass, white perch, crappie, channel or other catfish in the counties of Mills and Bell, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Executive Message.

Executive Department,

Austin, Texas, March 17, 1925.

To the Members of the Thirty-ninth Legislature, Austin, Texas.

Gentlemen: I respectfully request your advice, consent and confirmation to the appointment of the Notaries Public contained in the enclosed list.

Respectfully,

MIRIAM A. FERGUSON,

Governor of Texas.

(Note: See Journal of tomorrow for the names of Notaries Public as confirmed.)

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 652, A bill to be entitled "An Act creating and incorporating the Pep Independent School District in Hockley, Lamb and Cochran Counties, Texas; defining the boundaries thereof; providing for a board of trustees, their election, terms of office, qualifications, powers, duties and authority; authorizing said board to levy, assess and collect taxes for maintenance and building purposes, and to issue bonds."

H. B. No. 657, A bill to be entitled "An Act to incorporate Trinidad Independent School District in Henderson County, Texas, out of territory now comprising the Trinidad Common School District No. 6 in Henderson County, Texas."

H. B. No. 660, A bill to be entitled "An Act creating and establishing the North Park Independent School District of Taylor County, Texas, including therein the present North Park Common School District No. 39 of Taylor County."

H. B. No. 674, A bill to be entitled "An Act creating the Lometa Independent School District in Lampasas County."

H. B. No. 675, A bill to be entitled "An Act to create a more efficient road system for McCulloch County, Texas; defining the powers and duties of the commissioners' court of said county in adopting such system, and providing for the condemnation of lands for opening, changing, widening, ditching, making embankments or fills or draining water away from the public roads in said county; providing for raising or lowering grades, changing and discontinuing of public roads in said county; providing that the commissioners of said county be ex-officio road commissioners; defining their powers and duties, and providing for work overtime; providing that road hands may be assigned to such roads as may be deemed best by the road commissioner of the precinct or the commissioners' court of said county; providing for road overseers to call out hands on twenty-four hours' notice, and providing for penalty for failure to call out hands when noti-

fied to do so; for the payment of overseers working overtime; for the release of road hands by the payment of money; creating a penal offense for the obstruction of ditches or drainways and diverting surface water or streams into public roads of said county, and providing a penalty; making this law cumulative of the General Laws, and declaring an emergency."

H. B. No. 676, A bill to be entitled "An Act to amend Chapter 132, Local and Special Laws, Thirty-fifth Legislature, Regular Session, same being an Act creating Pineland Independent School District No. 3 in Sabine County, Texas."

H. B. No. 606, A bill to be entitled "An Act to create a more efficient road system for Travis County."

Respectfully submitted,

C. L. PHINNEY,

Chief Clerk, House of Representatives.

Executive Message.

To the Senate of Texas,
Austin, Texas.

Gentlemen: I respectfully request your advice, consent and confirmation to the appointment of the following, to-wit:

For public weighers for Harris County: Dave Rice, Albert Coles, C. P. Renaud, John D. Woolford, E. R. Morgan, T. E. Mulvihill, L. D. Bangard, H. B. Rice, Jr., R. E. Tankersley, John H. Lewis, P. T. Calvert and D. A. Daly.

For public weighers for Galveston: E. K. Marrast, Worthy Boyd, O. R. Hoecker, J. E. Labuzan, C. N. Weston, J. Garrison, H. T. Nelson.

For State Board of Optometry: Mrs. Mollie Armstrong of Brown County.

For Board of Water Engineers: John A. Norris of Wharton County.

For pilot commissioners for Galveston: T. L. Cross, T. J. Anderson, Herman Klinecke, John Young and Robert I. Cohen, Jr.

For pilot commissioners for Sabine Pass and river and tributaries: O. H. Campbell of Orange County, Homer Gaddy of Beaumont, Ross Campbell of Beaumont, M. R. Kleas of Port Arthur and J. E. Rose of Port Arthur.

Respectfully submitted,
MIRIAM A. FERGUSON,
Governor of Texas.

The above was referred to the Committee on Nominations by the Governor.

H. B. No. 303.

Senator Fairchild made the point of order that H. B. No. 303 had lost its place as a special order by reason of the transaction of other business since the last vote on the bill.

The Chair overruled the point of order.

Senator Fairchild appealed from the ruling of the Chair.

Recess.

Senator Wood moved that the Senate recess until 2 o'clock today.

The motion was adopted.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

House Bill No. 303.

Action recurred on the pending business, H. B. No. 303.

There being a favorable majority committee report, Senator Wood moved to adopt the majority report, and Senator Bowers moved that the further consideration of the bill be indefinitely postponed.

Senator Smith asked unanimous consent to suspend the pending business, H. B. No. 303, and take up a local school bill, that the consideration of the pending business be resumed immediately upon the completion of the considering of the local bill, and that Senator Bowers would have the floor to discuss H. B. No. 303. There was no objection.

Senate Bill No. 442.

The Chair laid before the Senate, on second reading,

S. B. No. 442, A bill to be entitled "An Act to amend Section 1 of Chapter 71, Special Laws of the Thirty-eighth Legislature, Regular Session, the same being entitled 'An Act to amend Section 1 of Chapter 3, Local and Special Laws, Third Called Session, Thirty-sixth Legislature, amending and revising the metes and bounds of the Moran Independent School District in Shackelford and Callahan Counties, Texas.'"

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Smith, the constitutional rule requiring bills to be read on three several days was

suspended and S. B. No. 442 put on its third reading and final passage, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

S. B. No. 442 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—31.

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

House Bill No. 303.

Action recurred on H. B. No. 303, the question being on the motion to indefinitely postpone the further consideration of the bill.

Senate Bill No. 462.

Senator Wirtz asked unanimous consent to suspend the pending business for the purpose of considering S. B. No. 462, and not displacing H. B. No. 303.

There was no objection.

The Chair laid before the Senate, on second reading,

S. B. No. 462, A bill to be entitled "An Act making a supplementary appropriation to pay for work to be carried on in the engineering ex-

periment Station at the University of Texas for the years beginning September 1, 1925, and ending August 31, 1927."

The minority (favorable) committee report was adopted.

The Committee report, providing that the bill be not printed, was adopted.

The bill was read second time and passed to engrossment.

On motion of Senator Wirtz, the constitutional rule requiring bills to be read on three several days was suspended and S. B. No. 462 put on its third reading and final passage, by the following vote:

Yeas—24.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Russek.
Davis.	Smith.
Fairchild.	Strong.
Hardin of Kaufman	Stuart.
Holbrook.	Triplett.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Wood.
Parr.	Woodward.

Nays—1.

Parnell.

Present—Not Voting.

Floyd.

Absent.

Hardin of Erath.	Reid.
Lewis.	Witt.
Moore of Hunt.	

S. B. No. 462 was laid before the Senate, read third time and passed finally, by the following vote:

Yeas—24.

Bailey.	Pollard.
Berkeley.	Price.
Bledsoe.	Real.
Bowers.	Reid.
Davis.	Russek.
Fairchild.	Smith.
Floyd.	Stuart.
Hardin of Kaufman	Triplett.
Miller.	Ward.
Moore of Cooke.	Wirtz.
Murphy.	Wood.
Parr.	Woodward.

Nays—2.

Parnell.

Strong.

Absent.

Hardin of Erath. Moore of Hunt.
Holbrook. Witt.
Lewis.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bills and
resolutions:

H. B. No. 134, A bill to be entitled
"An Act authorizing the Board of
Control, or its successors, to contract
for the printing and binding of the
reports of the decisions of the Su-
preme Court and Court of Criminal
Appeals of the State of Texas and
stipulating the price thereof with a
repealing clause."

H. B. No. 569, A bill to be entitled
"An Act to validate all homestead
claims or pre-emptions filed in the
General Land Office July 16, 1888,
and on which the residence of the
first assignee can not be proved, but
on which the second assignee has
lived twenty years or more, and au-
thorizing patents to be issued there-
on, and declaring an emergency."

H. J. R. No. 5, A joint resolution
"Reducing the size of the Legisla-
ture and fixing Salaries thereto."

H. J. R. No. 11, A joint resolution
"Providing that notaries public may
be appointed without confirmation
of the Senate."

H. B. No. 689, A bill to be entitled
"An Act making a supplemental ap-
propriation for the Texas ranger
force."

H. B. No. 416, A bill to be entitled
"An Act prohibiting the sale, offer
for sale, and exposing for sale, with-
in this State, for human consump-
tion, and the transportation, and de-
livery to any common carrier for
transport, within this State, of dis-
eased, immature, unripe, overripe, or
frost damaged oranges, lemons,
grapefruit or other citrus fruits; or
any oranges, the juice of which shall
contain more than one and three-
tenths per centum, by weight, of
crystallized citric acid; or any grape-
fruit, the juice of which shall con-
tain more than one and three-fourths
per centum, by weight, of crystal-
lized citric acid; or any misbranded
citrus fruit; defining the offense of
misbranding citrus fruit; prescribing

the powers of the Commissioner of
Agriculture with regard to the pro-
visions of this Act; making his of-
ficial certificate admissible in evi-
dence in proof of certain facts; and
fixing a penalty for violation of the
provisions of this Act, and declaring
an emergency."

Failed to pass:

S. B. No. 434, A bill to be entitled
"An Act to aid in protection of the
property and lives of citizens in a
part of Brazoria County from fur-
ther disastrous and calamitous over-
flows and conserving and increasing
the harbor facilities at the mouth of
the Brazos River in Brazoria County,
Texas, and to prevent the repeated
shoaling of the waters on the bar
of the harbor at the mouth of said
river caused by deposit of silt from
the flooding waters of the Brazos
River in the channel of said river
and in the Gulf of Mexico, and for
the purpose of assisting in the pre-
venting of future overflowing of said
river, by granting and donating the
said portion of Brazoria County for
a term of twenty-five years or so
much thereof as may be necessary,
a portion of the State ad valorem
tax levied and collected on prop-
erty subject to taxation, in such por-
tion of Brazoria County, to be used
in making part payment of the in-
terest and sinking fund of bonds to
be used by said county, to provide
for the construction of the neces-
sary breakwaters, levees, dykes,
floodways and diversions, and pro-
viding for the diversion of the chan-
nel of said Brazos River near its
mouth, and providing for the admin-
istration of this Act."

H. B. No. 540, relating to the re-
quirements of the application for
admission to the Confederate Home.

H. B. No. 594, A bill to be entitled
"An Act to create Sipe Springs Inde-
pendent School District in Coman-
che County, Texas."

H. B. No. 597, A bill to be entitled
"An Act authorizing an unmarried
woman who is a Notary Public, and
who shall marry during her term of
office, to continue to act with the
county clerk, setting forth the fact
of her marriage and her changed
name."

Respectfully submitted;

C. L. PHINNEY,
Chief Clerk, House of Representatives.

Executive Message.

Executive Department,
Austin, Texas, March 17, 1925.
To the Members of the Thirty-ninth
Legislature, Austin, Texas.

Gentlemen: In answer to Senate
Concurrent Resolution No. 37, ask-
ing for the return of Senate Bill No.
409 for further consideration, I will
say that at the time I was notified
by said resolution to return Senate
Bill No. 409 the same had been ap-
proved by me and filed in the office
of the Secretary of State.

I am, therefore, unable to comply
with your request as expressed in
said resolution.

Respectfully,

MIRIAM A. FERGUSON,
Governor of Texas.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has passed the following bills and
resolutions:

H. B. No. 73, A bill to be entitled
"An Act placing a closed season of
two years on Mexican blue quail,
partridge, quail, Bob White and wild
pheasant in certain counties; pro-
viding a penalty for the violation of
same; repealing all laws in conflict
herewith, and declaring an emer-
gency."

H. B. No. 346, A bill to be entitled
"An Act to provide for granting pen-
sions to indigent widows of ex-Con-
federate soldiers, to declare who are
entitled thereto, etc."

H. B. No. 538, relating to the ad-
mission to the Confederate Woman's
Home.

H. B. No. 667, A bill to be entitled
"An Act to create the Glasscock
County Independent School District
in Glasscock County, Texas."

H. B. No. 151, A bill to be entitled
"An Act defining embezzlement, and
prescribing a penalty for same."

H. B. No. 334, A bill to be entitled
"An Act to amend Article 1585 of
the Revised Civil Statutes of Texas,
Chapter 2, relating to the terms of
the various Courts of Civil Appeals
of Texas, and designated as Article
No. 1816, Chapter 1, Title 39 of the
New Revised Civil Statutes of Texas,
as presented to the Thirty-ninth
Legislature for adoption and pass-
age, and providing for an emer-
gency."

H. J. R. No. 9, eliminating the pro-
vision from the Constitution author-
izing the Legislature to create local
and special districts.

H. C. R. No. 56, inviting the Odd
Fellows to Austin.

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

The Chair laid before the Senate,
H. C. R. No. 56, a resolution inviting
the Odd Fellows to hold their annual
meeting in Austin.

The resolution was read and adopt-
ed.

House Bill No. 303.

Action recurred on the pending busi-
ness, H. B. No. 303, the question be-
ing on the motion to postpone the
consideration of the bill indefinitely.

(Senator Parr in the Chair.)

Pending discussion by Senator Bow-
ers, Senator Parnell made the point
of order that the Senator was not dis-
cussing the bill.

The Chair, Senator Parr, sustained
the point of order, and after discus-
sion held that Senator Bowers had
lost his rights of the floor.

Senator Bailey appealed from the
ruling of the Chair, which motion
being seconded, was ordered.

(Lieutenant Governor Miller in the
Chair).

Question: Shall the Chair be sus-
tained?

The ruling of the Chair was not
sustained by the Senate, by the fol-
lowing vote:

Yeas—10.

Bledsoe.	Parr.
Floyd.	Triplett.
Hardin of Kaufman	Witt.
Moore of Hunt.	Wood.
Parnell.	Woodward.

Nays—18.

Bailey.	Pollard.
Berkeley.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Hardin of Erath.	Strong.
Holbrook.	Stuart.
Miller.	Ward.
Moore of Cooke.	Wirtz.

Present—Not Voting.

Smith.

(Pair Recorded.)

Senator Murphy (present), who would vote yea; with Senator Lewis (absent), who would nay.

Action recurred on the consideration of H. B. No. 303, with Senator Bowers speaking.

After discussion, Senator Wood moved the previous question on the motion to indefinitely postpone the consideration of the bill and committee report, which motion was duly seconded.

Senator Fairchild called for a division of the question.

Action recurred on the motion for the previous question on the motion to postpone indefinitely the consideration of the bill and the previous question was ordered, by the following vote:

Yes—17.

Bledsoe.	Reid.
Davis.	Smith.
Floyd.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Moore of Hunt.	Witt.
Parnell.	Wood.
Price.	Woodward.
Real.	

Nays—7.

Bailey.	Russek.
Bowers.	Strong.
Fairchild.	Wirtz.
Pollard.	

Absent.

Hardin of Erath. Moore of Cooke.
Miller.

(Pairs Recorded.)

Senator Berkeley (present), who would vote nay; with Senator Parr (absent), who would vote yea.

Senator Murphy (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

The previous question on the adoption of the favorable committee report was ordered.

Action recurred on the motion to adopt the favorable committee report and the motion prevailed, by the following vote:

Yeas—16.

Bledsoe.	Price.
Davis.	Real.
Floyd.	Reid.
Holbrook.	Smith.
Moore of Hunt.	Stuart.
Parnell.	Triplett.

Ward.
Witt.

Wood.
Woodward.

Nays—8.

Bailey.	Pollard.
Bowers.	Russek.
Fairchild.	Strong.
Hardin of Kaufman.	Wirtz.

Absent.

Hardin of Erath. Moore of Cooke.
Miller.

(Pairs Recorded.)

Senator Berkeley (present), who would vote nay; with Senator Parr (absent), who would vote yea.

Senator Murphy (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Wood offered the following amendment:

Amend H. B. No. 303, by striking out the words: "Within seventy-five (75) miles of the City of Austin," wherever they appear in the bill, and in lieu thereof insert the following: "Within the territory situated between 30 deg. and 32 deg. north latitude, and between 97 deg. and 99 deg. west longitude."

The Chair held that the amendments, being corrective, would be considered under the previous question, though he would permit the amendments to be explained.

Senator Fairchild made the constitutional point of order that all bills must be "given full and free discussion."

The Chair held that the bill had been fully discussed and overruled the point of order.

Senator Fairchild appealed from the ruling of the Chair.

The Senate sustained the ruling of the Chair.

The amendment was adopted.

Senator Wood offered the following amendment, which was read and adopted:

Amend H. B. No. 303, by striking out the words and figures "one million dollars (\$1,000,000.00) wherever they appear in the body of the bill, and "one half million dollars (\$500,000.00)" out of the amendment contained in the engrossed rider, and in lieu thereof insert the words and figures: "three hundred thousand dollars (\$300,000.00)"

Senator Wood offered the following amendment to the amendment:

Amend the pending amendment by striking out \$300,000.00 and insert in lieu thereof \$200,000.00.

The amendment to the amendment was adopted, and the amendment, as amended, was adopted.

Senator Wood offered the following amendment, which was read and adopted:

Amend H. B. No. 303, by adding at the end of Section 6 the following: The money herein appropriated shall be known and used as a revolving fund and the amount appropriated shall be returned to the State Treasury during the ensuing two years after the passage of this Act from the sale of the farms now owned by the State, which shall be sold by said commission, that said commission shall have the right to pay part cash for any land purchased under the provision of this Act, and execute notes for the balance of the payment in the purchase of land that they may make for the location of a new system. The said commission shall have the right to sell any and all farms for part cash and extend credit to the purchaser of said farms as the said commission may deem proper and safe for the interest of the State.

Real, Bailey, Davis, Wood.

Senator Wood offered the following amendment, which was read and adopted:

Amend H. B. No. 303 as printed in Senate Journal, page 1345, as follows:

In paragraph 6, line 23, strike out the word "disclose" and insert in lieu thereof the following "dispose of any."

Action then recurred on the motion to indefinitely postpone the further consideration of the bill, and the motion was lost, by the following vote:

Yeas—8.

Bailey.	Pollard.
Berkeley.	Russek.
Bowers.	Strong.
Fairchild.	Wirtz.

Nays—17.

Bledsoe.	Reid.
Davis.	Smith.
Floyd.	Stuart.
Holbrook.	Triplett.
Moore of Hunt.	Ward.
Parnell.	Witt.
Parr.	Wood.
Price.	Woodward.
Real.	

Absent.

Hardin of Erath. Miller.
Hardin of Kaufman Moore of Cooke.

(Pair Recorder.)

Senator Murphy (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Holbrook offered the following amendment:

Amend H. B. No. 303 by striking out the word "five" in Section 6 and substituting therefore the word "nine"; and by adding after the word "persons," "four of whom shall live in different parts of the State and shall be appointed by the Governor of Texas; the other five."

Senator Wood moved to table the amendment, which motion was adopted, by the following vote:

Yeas—21.

Bailey.	Russek.
Berkeley.	Smith.
Bledsoe.	Strong.
Fairchild.	Stuart.
Floyd.	Triplett.
Hardin of Kaufman	Ward.
Moore of Hunt.	Wirtz.
Parnell.	Witt.
Parr.	Wood.
Real.	Woodward.
Reid.	

Nays—4.

Bowers.	Pollard.
Holbrook.	Price.

Absent.

Davis. Miller.
Hardin of Erath. Moore of Cooke.

(Pair Recorded.)

Senator Murphy (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Holbrook offered the following amendment:

Amend H. B. No. 303 by striking out the word "possible" wherever it appears in Section 6 and substituting therefor the word "practicable."

Senator Fairchild moved to table the amendment, which motion to table was lost by the following vote:

Yeas—7.

Bailey.	Pollard.
Bowers.	Russek.
Fairchild.	Strong.
Floyd.	

Nays—17.

Berkeley.	Smith.
Bledsoe.	Stuart.
Hardin of Kaufman.	Triplett.
Holbrook.	Ward.
Parnell.	Wirtz.
Parr.	Witt.
Price.	Wood.
Real.	Woodward.
Reid.	

Absent.

Davis.	Moore of Hunt.
Hardin of Erath.	Moore of Cooke.
Miller.	

(Pair Recorded.)

Senator Murphy (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Fairchild moved that the Senate recess until 7:30 o'clock to-night, which motion was lost by the following vote:

Yeas—9.

Bailey.	Pollard.
Bowers.	Russek.
Fairchild.	Strong.
Floyd.	Wirtz.
Holbrook.	

Nays—13.

Hardin of Kaufman.	Stuart.
Parnell.	Triplett.
Parr.	Ward.
Price.	Witt.
Real.	Wood.
Reid.	Woodward.
Smith.	

Absent.

Bledsoe.	Moore of Hunt.
Hardin of Erath.	Moore of Cooke.
Miller.	

(Pairs Recorded.)

Senator Berkeley (present), who would vote yea; with Senator Davis (absent), who would vote nay.

Senator Murphy (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Murphy moved the previous question on the pending amendment and passage of the bill to a third reading, which motion was duly seconded.

The Senate ordered the previous question by the following vote:

Yeas—14.

Bledsoe.	Reid.
Floyd.	Smith.
Hardin of Kaufman.	Stuart.
Parnell.	Triplett.
Parr.	Witt.
Price.	Wood.
Real.	Woodward.

Nays—8.

Bailey.	Pollard.
Bowers.	Russek.
Fairchild.	Strong.
Holbrook.	Ward.

Absent.

Hardin of Erath.	Moore of Cooke.
Miller.	

(Pairs Recorded.)

Senator Berkeley (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Murphy (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Wirtz (present), who would vote nay; with Senator Moore of Hunt (absent), who would vote yea.

The amendment was lost.

Action recurred on the passage of the bill to a third reading and the same was passed, by the following vote:

Yeas—15.

Bledsoe.	Smith.
Floyd.	Stuart.
Holbrook.	Triplett.
Parnell.	Ward.
Parr.	Witt.
Price.	Wood.
Real.	Woodward.
Reid.	

Nays—6.

Bailey.	Pollard.
Fairchild.	Strong.
Hardin of Kaufman.	Wirtz.

Absent.

Hardin of Erath.	Moore of Cooke.
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(Pairs Recorded.)

Senator Bowers (present), who would vote nay; with Senator Moore of Hunt (absent), who would vote yea.

Senator Berkeley (present), who would vote nay; with Senator Davis (absent), who would vote yea.

Senator Murphy (present), who would vote yea; with Senator Lewis (absent), who would vote nay.

Senator Russek (present), who would vote nay; with Senator Miller (absent), who would vote yea.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bills:

H. B. No. 133, A bill to be entitled "An Act amending Article 640a, Chapter 9a, of the Penal Code of the Revised Statutes of the State of Texas so as to prescribe a heavier penalty for the desertion and failure to support wife or children by making the penalty a felony, and declaring an emergency."

H. B. No. 177, A bill to be entitled "An Act to amend Article 366 of the Revised Civil Statutes of the State of Texas, 1911, requiring that any district or county attorneys shall institute legal proceedings in certain cases, so as to provide that it shall also be the duty of such district or county attorneys to institute such proceedings as are necessary to recover such compensation as may be unlawfully paid to or received by any officer in his district or county, and to prevent the payment of such compensation."

H. B. No. 310, A bill to be entitled "An Act to amend Article 4610, Chapter 1, Title 68 of the Revised Civil Statutes of the State of Texas; and providing for the filing of notice of intention with the clerk of the county; providing how and by whom such notice shall be filed; providing for the posting of a copy of such notice for at least five days at the courthouse door of the county; providing that no fee shall be charged for such filing and posting; providing for the issuance of a license after such notice has been posted for at least five days, and declaring an emergency."

H. B. No. 492, A bill to be entitled "An Act to amend Article 1160 of the Code of Criminal Procedure of the 1911 Revised Statutes of the State of Texas as enacted by the Thirty-second Legislature of the State of Texas, Acts 1911, page 110, Section 1, so as to pay the grand

jurors three (\$3.00) dollars per day, for each day or fraction thereof that he may serve."

H. B. No. 515, A bill to be entitled "An Act providing for the redemption of property sold under a judgment for taxes levied by any district organized under the laws of the laws of the State of Texas, and declaring an emergency."

Respectfully submitted,

C. L. PHINNEY,
Chief Clerk, House of Representatives.

House Bills on First Reading.

The following House bills were laid before the Senate, read severally, first time, and referred to appropriate committees:

H. B. No. 653, referred to Committee on Educational Affairs.

H. B. No. 634, referred to Committee on Towns and City Corporations.

H. B. No. 639, referred to Committee on Educational Affairs.

H. B. No. 643, referred to Committee on Educational Affairs.

H. B. No. 653, referred to Committee on Highways and Motor Traffic.

H. B. No. 659, referred to Committee on Educational Affairs.

H. B. No. 655, referred to Committee on State Affairs.

H. B. No. 651, referred to Committee on Educational Affairs.

H. B. No. 630, referred to Committee on Highways and Motor Traffic.

H. B. No. 331, referred to Committee on Criminal Jurisprudence.

H. B. No. 663, referred to Committee on Educational Affairs.

H. B. No. 685, referred to Committee on Educational Affairs.

H. B. No. 671, referred to Committee on Educational Affairs.

H. B. No. 666, referred to Committee on Educational Affairs.

H. B. No. 311, referred to Committee on State Affairs.

H. B. No. 690, referred to Committee on Judicial Districts.

H. B. No. 200, referred to Committee on Highways and Motor Traffic.

H. B. No. 248, referred to Committee on Civil Jurisprudence.

H. B. No. 502, referred to Committee on Civil Jurisprudence.

H. B. No. 612, referred to Committee on Mining, Drainage and Irrigation.

H. B. No. 613, referred to Committee on Educational Affairs.

H. B. No. 615, referred to Committee on Educational Affairs.

H. B. No. 641, referred to Committee on Educational Affairs.

H. B. No. 644, referred to Committee on State Affairs.

H. B. No. 652, referred to Committee on Educational Affairs.

H. B. No. 660, referred to Committee on Educational Affairs.

H. B. No. 657, referred to Committee on Educational Affairs.

H. B. No. 674, referred to Committee on Educational Affairs.

H. B. No. 675, referred to Committee on Highways and Motor Traffic.

H. B. No. 676, referred to Committee on Educational Affairs.

H. B. No. 606, referred to Committee on Highways and Motor Traffic.

H. B. No. 689, referred to Committee on Finance.

H. J. R. No. 11, referred to Committee on Constitutional Amendments.

H. J. R. No. 5, referred to Committee on Constitutional Amendments.

H. B. No. 134, referred to Committee on Public Printing.

H. B. No. 569, referred to Committee on Public Lands and Land Offices.

H. B. No. 416, referred to Committee on Criminal Jurisprudence.

H. B. No. 73, referred to Committee on State Affairs.

H. B. No. 346, referred to Committee on State Affairs.

H. B. No. 538, referred to Committee on State Affairs.

H. J. R. No. 9, referred to Committee on Constitutional Amendments.

H. B. No. 177, referred to Committee on Civil Jurisprudence.

H. B. No. 310, referred to Committee on Civil Jurisprudence.

H. B. No. 492, referred to Committee on State Affairs.

H. B. No. 515, referred to Committee on Civil Jurisprudence.

H. B. No. 133, referred to Committee on Criminal Jurisprudence.

H. B. No. 667, referred to Committee on Educational Affairs.

H. B. No. 334, referred to Committee on Judicial Districts.

H. B. No. 151, referred to Committee on Criminal Jurisprudence.

H. B. No. 540, referred to Committee on State Affairs.

H. B. No. 597, referred to Committee on Civil Jurisprudence.

H. B. No. 594, referred to Committee on Educational Affairs.

Bills Signed.

The Chair, Lieutenant Governor Miller, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

S. B. No. 189.

S. B. No. 406.

H. B. No. 329.

H. B. No. 633.

H. B. No. 608.

H. B. No. 679.

H. B. No. 321.

H. B. No. 573.

H. B. No. 638.

House Bill No. 303.

Senator Murphy moved that H. B. No. 303 be made a special order for tomorrow morning at 10:30 o'clock.

Senator Bailey moved, as a substitute, that the bill be made a special order for 2:30 o'clock tomorrow afternoon.

The substitute motion was lost, by the following vote:

Yeas—7.

Bailey.	Pollard.
Fairchild.	Russek.
Floyd.	Strong.
Hardin of Kaufman.	

Nays—14.

Bledsoe.	Stuart.
Parnell.	Triplett.
Parr.	Ward.
Price.	Wirtz.
Real.	Witt.
Reid.	Wood.
Smith.	Woodward.

Absent.

Hardin of Erath.	Miller.
Holbrook.	Moore of Cooke.

(Pairs Recorded.)

Senator Berkeley (present), who would vote yea; with Senator Davis (absent), who would vote nay.

Senator Bowers (present), who would vote yea; with Senator Moore of Hunt (absent), who would vote nay.

Senator Murphy (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

Senator Fairchild moved, as a substitute, to set H. B. No. 97 for a special order for tomorrow morning at 10:30 o'clock.

Senator Murphy moved the previous question on the two pending motions, which motion, being duly seconded, was ordered.

Action recurred on the substitute motion, and the same was lost, by the following vote:

Yeas—10.

Bailey.	Hardin of Kaufman.
Berkeley.	Pollard.
Bowers.	Russek.
Fairchild.	Strong.
Floyd.	Ward.

Nays—13.

Bledsoe.	Stuart.
Parnell.	Triplett.
Parr.	Wirtz.
Price.	Witt.
Real.	Wood.
Reid.	Woodward.
Smith.	

Absent.

Davis.	Miller.
Hardin of Erath.	Moore of Hunt.
Holbrook.	Moore of Cooke.

(Pair Recorded.)

Senator Murphy (present), who would vote nay; with Senator Lewis (absent), who would vote yea.

The motion to make H. B. No. 303 a special order for 10:30 o'clock tomorrow morning was adopted.

Senator Witt moved that H. C. R. No. 19 be made a special order immediately following the consideration of H. B. No. 303.

Senator Bowers, moved, as a substitute, that H. B. No. 97 be made a special order for the time following the consideration of H. B. No. 303.

Senator Bailey moved that the Senate recess until 7:30 o'clock tonight, which motion was adopted.

After Recess.

The Senate was called to order by Lieutenant Governor Miller.

In the Committee of the Whole.

The Senate resolved into a committee of the whole for the purpose of resuming the hearing of the penitentiary investigation.

In the Senate.

At 9:30 o'clock p. m. the Senate convened as a Senate and the chairman, Senator Wirtz, reported that the com-

mittee had concluded its hearing of the evidence of the penitentiary investigating matter.

Adjournment.

On motion of Senator Wood the Senate adjourned until 9:30 o'clock tomorrow morning.

APPENDIX.

Committee Reports.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 615, A bill to be entitled "An Act creating the St. Paul Independent School District situated in San Patricio County, Texas; defining its boundaries, including the present St. Paul Common School District No. 6 and a part of the Mathis Independent School District in said County, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, with the following committee amendment, and be not printed:

Amend H. B. No. 615 by striking out the field notes in Section 1 of the bill and inserting the following field notes:

"Beginning at a corner of San Patricio and Bee Counties on Papalote Creek, being the northeast corner of the A. V. Loupe Survey, Abstract No. 12, in said counties, for the northeast corner of this district;

Thence south with the east line of said survey, and proceed south to the southeast corner of Lot No. 113 of Section No. 23 of the Geo. H. Paul's subdivision of the J. J. Welder Ranch for the southeast corner of this district;

Thence with the south boundary line of Sections Nos. 23, 22, 21, 20, 19, 18 and 17, to a jog corner of Section No. 24;

Thence north with said Section No. 24 to its northeast corner, a jog corner of said Section No. 17;

Thence west with the south line of said Section 17 and Sections 16, 15 and 14 to the southeast corner of Section 13 for a south corner of this district;

In Memorium

SIMPLE RESOLUTION NO. 76.

By Senator Wirtz:

Honorable Joseph Faust died at his home in New Braunfels, Texas, on November 5, 1924. He was born December 15, 1844, at Hambach, Germany, and at an early age moved, with his parents, to New Braunfels, Comal County, Texas, where he resided until the time of his death.

At the age of sixteen years he joined, as a volunteer, the Seventh Texas Calvary, Sibley's Brigade, and served throughout the war. He was taken as a prisoner of war, was later discharged, and served with distinction in the battles of Val Verde, Glorietta, Galveston, Camp Island and Yellow Bayou.

He served with distinction in the Senate of Texas during the Twenty-eighth, Twenty-ninth and Thirtieth Legislatures.

He served faithfully in the cause of education and in the upbuilding of his community.

Whereas, both as a public servant and as a private citizen, Senator Faust was held in the highest esteem for his unselfish and patriotic devotion and service to his State and Nation; and,

Whereas, as a soldier, statesman, public servant and distinguished citizen, he has won a high place in the regard of his fellow citizens, and a place of love and esteem among his associates in the Senate of Texas; therefore,

Be it Resolved, That a page of the Senate Journal be set apart and dedicated to his memory; that a copy of this resolution be sent to his bereaved family; and that when the Senate adjourns today, it shall be done in his honor.

The resolution was read and unanimously adopted,
by a rising vote.

Thence north with the east boundary line of Section 13 and continuing north to a point in the southeast line of Grace Raymond Ranch;

Thence in a northeasterly direction, with the southeast boundary line of said Grace Raymond's Ranch to the northeast corner of said Grace Raymond's Ranch and one of the corners of Section No. 69;

Thence in a northwesterly direction to another corner of said Section No. 69 and the southeast corner of fractional Section No. 68;

Thence north with the line between Sections Nos. 68, 69, 85, 86, 90 and 91, to the Bee County line;

Thence in a southeasterly direction following the Bee and San Patricio County line to the county corner in the Oliver and Virginia Cantu Surveys;

Thence in a northeasterly direction with said Bee and San Patricio County line to the place of beginning, and containing 36,000 acres of land, more or less.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 676, A bill to be entitled "An Act to amend Chapter 132, Local and Special Laws, Thirty-fifth Legislature, Regular Session, same being an Act creating Pineland Independent School District No. 3 in Sabine County, Texas, by extending the boundaries of said district, and providing that the annexed territory shall bear its pro rata part of an outstanding bond issue of Common School District No. 31 of said county, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 674, A bill to be entitled "An Act creating the Lometa Independent School District in Lampasas County, Texas; defining its boundaries, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 652, A bill to be entitled "An Act creating and incorporating the Pep Independent School District in Hockley, Lamb and Cochran Counties, Texas; defining the boundaries thereof, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 613, A bill to be entitled "An Act creating and establishing Sweeny Independent School District in Brazoria County, Texas, defining and describing it by metes and bounds, providing for election of trustees thereof, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 660, A bill to be entitled "An Act creating and establishing the North Park Independent School District of Taylor County, Texas, including therein the present North Park Common School District No. 39 of Taylor County, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred H. B. No. 641, A bill to be entitled "An Act to create the Montgomery Independent School District in Montgomery County, Texas, defining its boundaries, to provide for the election of trustees, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 657, a local school bill, Have had the same under consideration, and I am instructed to report, the same back to the Senate with the recommendation that it do pass, and be not printed.

HARDIN of Kaufman,
Vice-Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 639, A bill to be entitled "An Act to amend Chapter 75 of the Acts of the Third Called Session of the Thirty-sixth Legislature, creating the Emory Independent School District by adding thereto Section 14, permitting adjoining territory to be incorporated in the Emory Independent School District, upon petition of qualified voters adjoining said school district, and declaring an emergency."

Have had the same under consideration, and I am instructed to report, the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Edu-

cational Affairs, to whom was referred

H. B. No. 685, A bill to be entitled "An Act amending Section 1, Chapter 34, Acts of the Regular Session, Thirty-fifth Legislature, creating the Lipscomb Independent School District in Lipscomb County; enlarging the boundaries thereof, and declaring an emergency."

Have had the same under consideration, and I am instructed to report, the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 643, A bill to be entitled "An Act to create Calliham Independent School District in Live Oak and McMullen Counties, Texas, including therein the present Calliham School District No. 3 of the said counties, etc."

Have had the same under consideration, and I am instructed to report, the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 663, A bill to be entitled "An Act creating and incorporating the Dilly County Line Independent School District out of territory in Frio and La Salle Counties."

Have had the same under consideration, and I am instructed to report, the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 666, A bill to be entitled "An Act to create Common School District No. 6 in McMullen County,

Texas; providing a board of trustees therefor, vesting said school district board of trustees with all the rights, powers, privileges and duties conferred upon common school districts incorporated under the General Laws of Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred.

H. B. No. 695, A bill to be entitled "An Act creating an independent school district to be known as the Holt Independent School District, situated in Hutchinson County, Texas, described by metes and bounds; comprising the territory of Common School District No. 8 of Hutchinson County; divesting the trustees of said Common School District No. 8 of all rights and powers now vested in them as trustees, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred.

H. B. No. 678, A bill to be entitled "An Act to amend Chapter 8, Special Laws of the Thirty-sixth Legislature, Third Called Session, the same being an Act creating and establishing the Paint Rock Independent School District in Concho County, Texas, so as to increase the limits of the said district by adding thereto certain lands and territory adjoining the said district as hereinafter described, and making said lands and territory a part of the Paint Rock Independent School District, repealing all laws and parts of laws in direct conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report

the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred.

H. B. No. 651, A bill to be entitled "An Act creating the Woodrow Independent School District in Lubbock County, Texas, out of the same territory now comprising the Woodrow Common School District No. 21, in Lubbock County, Texas, as established and defined by Act of the Thirty-sixth Legislature of the State of Texas, Second Called Session, Local and Special Laws, H. B. No. 48, Chapter 20; defining its boundaries, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred.

H. B. No. 671, A bill to be entitled "An Act to repeal House Bill No. 34, passed by the Thirty-ninth Legislature, Regular Session, and approved March 4, 1925, the same being an Act to amend Chapter 110, Local and Special Laws of the Thirty-third Legislature, Regular Session, creating and establishing the Pearsall Independent School District in Frio County, Texas; and to restore the school districts affected thereby to their status prior to the passage of the said Act of the Thirty-ninth Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Edu-

cational Affairs, to whom was referred.

H. B. No. 656, A bill to be entitled "An Act to create the Bodenhammer Common School District in McCulloch County, Texas, including therein the present Bodenhammer Common School District No. 40 in McCulloch County, providing a board of trustees therefor, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 648, A bill to be entitled "An Act to create the Whiteland Common School District in McCulloch County, Texas, including therein the present Whiteland Common School District in McCulloch County, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 646, A bill to be entitled "An Act to amend Section 1 of Chapter 9, Special Laws of the Thirty-sixth Legislature, Third Called Session, the same being entitled 'An Act extending the boundaries of and adding territory to the Lamesa Independent School District in Dawson County, defining the boundaries of said district as hereby extended, etc.'"

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

H. B. No. 363, A bill to be entitled "An Act to create Common School Dis-

trict No. 5 in Refugio County, Texas, providing a board of trustees therefor, vesting said common school district board of trustees with all the rights, powers, privileges and duties conferred upon common schools districts incorporated under the General Laws of Texas, etc."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 16, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Education, to whom was referred

H. B. No. 683, A bill to be entitled "An Act to create and establish the Beeville Independent School District in Bee County, Texas, including therein the territory of the present Beeville Independent School District as incorporated under the General Laws; providing a board of trustees for the said district and conferring upon the board of trustees the rights, powers and duties prescribed by General Law for independent school district trustees; validating current contracts, indebtedness, and tax levies of the present Beeville Independent School District as the valid and subsisting contracts, indebtedness and taxes of the district as hereby created, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

WITT, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 637, A bill to be entitled "An Act to create a more efficient road system for Stonewall County, Texas, providing for the commissioners' court of said county shall be authorized to issue bonds of said county for the purpose of funding or refunding indebtedness incurred for road and bridge purposes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. R. No. 66, A resolution, "to resolve the Senate of Texas into a court of impeachment for the purpose of considering, modifying, changing or setting aside the judgment and sentence of the Senate of Texas in imposing the disqualifications upon the said James E. Ferguson from holding any office of honor, trust or profit in this State."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FAIRCHILD, Vice-Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the

Sir: We, your Committee on Civil Jurisprudence, to whom was referred

S. B. No. 391, A bill to be entitled "An Act authorizing commissioners' courts of organized counties to institute suit or suits for the purpose of recovering goods, lands, or chattels belonging to an unorganized or disorganized county attached to such county for judicial purposes; provided such suits shall be brought by the parent county acting by and through its county judge and county commissioners for the use and benefit of the unorganized or disorganized county so attached to such parent county for judicial or other purpose; and providing for the sale of county school lands or any interest therein belonging to an unorganized or disorganized county by the commissioners' court of the county to which such unorganized or disorganized county is attached for judicial or other purposes, and providing for investment of the proceeds arising from such sales, and authorizing the commissioners' court to make contracts with reference to sale and disposition of the county school lands belonging to any unorganized or disorganized county attached to such county for judicial purposes; provid-

ing such contracts are made for the use and benefit of such unorganized or disorganized county and for the benefit of the permanent school fund of such unorganized or disorganized county, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

BAILEY, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Judicial Districts, to whom was referred

H. B. No. 690, A bill to be entitled "An Act to amend Chapter 155 of the Acts of the Thirty-fourth Legislature as amended by Chapter 23 of the Acts of the Thirty-fifth Legislature and to amend Subdivisions 9, 75 and 80 of Article 30, Title 5 of the Revised Civil Statutes of the State of Texas, and to amend Chapter 104 of the laws passed by the Thirty-eighth Legislature approved March 21, 1923, and to reorganize the Seventy-fifth Judicial District of Texas and to remove therefrom the County of Montgomery; and to reorganize the Ninth Judicial District of Texas and remove therefrom the counties of Hardin and Liberty, and to add thereto the county of Waller, and to remove said county of Waller from the Eightieth Judicial District of the State of Texas, and fixing the time of holding court in said Seventy-fifth, Ninth and Eightieth Judicial Districts, and providing for the continuance in office of the present district judges and district attorney within certain limits, and validating processes, bonds, recognizance and decrees issued and rendered under existing arrangements; and repealing all laws and parts of laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

PRICE, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on High-

ways and Motor Traffic, to whom was referred

H. B. No. 653, A bill to be entitled "An Act creating a Special Road Law for Kaufman County, Texas, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do pass, and be not printed.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 5, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Highways and Motor Traffic, to whom was referred

H. B. No. 498, A bill to be entitled "An Act repealing Chapter 17, Local and Special Laws, enacted by the First Called Session of the Thirty-third Legislature and amended by the Regular Session of the Thirty-sixth Legislature, entitled, San Patricio County Road System; creating and providing that the General Laws of the State of Texas as relating to working public roads, appointing overseers, the issuance of bonds for the construction of public roads, shall be applicable to San Patricio County, validating all defined road districts defined, created and established under and by virtue of said San Patricio County Special Road Law, as well as the road bonds issued thereunder, and declaring an emergency."

Have had the same under consideration, and I am instructed to report the same back to the Senate with the recommendation that it do not pass.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 345 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 363 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 312 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 373 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 462 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 442 carefully examined and compared, and find same correctly engrossed.

STRONG, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 189 carefully examined and compared, and find same correctly enrolled, and have this day at 10:15 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,

Austin, Texas, March 17, 1925.

Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. B. No. 406 carefully examined and compared, and find same correctly enrolled, and have this day at 10:15 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

Committee Room,
Austin, Texas, March 16, 1925.
Hon. Barry Miller, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 37 carefully examined and compared, and find same correctly enrolled, and have this day at 10:56 o'clock presented same to the Governor for her approval.

FLOYD, Chairman.

FIFTIETH DAY.

Senate Chamber,
Austin, Texas,
Wednesday, March 18, 1925.

The Senate met at 9:30 o'clock a. m. pursuant to adjournment, and was called to order by Lieutenant Governor Barry Miller.

The roll was called, a quorum being present, the following senators answering to names:

Bailey.	Parr.
Berkeley.	Pollard.
Bledsoe.	Price.
Bowers.	Real.
Davis.	Reid.
Fairchild.	Russek.
Floyd.	Smith.
Hardin of Erath.	Strong.
Hardin of Kaufman.	Stuart.
Holbrook.	Triplett.
Lewis.	Ward.
Miller.	Wirtz.
Moore of Hunt.	Witt.
Moore of Cooke.	Wood.
Murphy.	Woodward.
Parnell.	

Prayer by the chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Davis.

Senate Bill No. 174—Conference Committee Report On.

By Senator Wirtz:

Committee Room,
Austin, Texas, March 17, 1925.
Hon. Barry Miller, President of the Senate; Hon. Lee Satterwhite, Speaker of the House:

Sirs: We, your Conference Committee, appointed to consider the differences between the two Houses on S. B. No. 174, A bill to be entitled "An Act making the people secure in their persons, houses, papers and possessions from all unlawful and unreasonable seizures or searchers, etc., and declaring an emergency."

Have met and after full and free conference have agreed, and do hereby recommend, that the following committee substitute be adopted as the Act of the two Houses:

A BILL

To Be Entitled

An Act making the people secure in their persons, houses, papers and possessions from all unlawful and unreasonable seizures or searchers, making it unlawful for any person, or peace officer, or State Ranger to search the private residence, actual place of habitation, place of business, person or possessions of any person without having first obtained a search warrant as required by law; providing for a penalty, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. The people shall be secure in their persons, houses, papers and possessions from all unreasonable seizures or searchers; and no warrant to search any place, or to seize any person or thing, shall issue without describing them as near as may be, nor without probable cause, supported by oath, or affirmation.

Sec. 2. It shall be unlawful for any person or peace officer, or State Ranger, to search the private residence, actual place of habitation, place of business, person or personal possessions of any person, without having first obtained a search warrant as required by law.

Sec. 3. Any person violating any provision of this Act shall be deemed guilty of a misdemeanor and upon conviction shall be punished by fine of not less than \$100.00, nor more than \$500.00, or by confinement in the county jail not more than six months, or by both such fine and imprisonment.

Sec. 4. The fact that the people are not secure in their persons, houses, papers and possessions from unlawful and unreasonable seizures and searches, creates an emergency and imperative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House, and such rule is hereby suspended, and that this Act take effect and be